

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**MOYNO, INC.**

**and**

**Case 09-CA-086468**

**UNITED AUTOMOBILE, AEROSPACE AND  
AGRICULTURAL IMPLEMENT WORKERS  
OF AMERICA (UAW) LOCAL NO. 902**

**ORDER<sup>1</sup>**

The Employer's partial petition to revoke subpoena duces tecum B-643383 is denied.<sup>2</sup> The subpoena seeks information relevant to the matter under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Employer has failed to establish any other legal basis for revoking the subpoena. See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., December 5, 2012

MARK GASTON PEARCE,	CHAIRMAN
RICHARD F. GRIFFIN, JR.,	MEMBER
SHARON BLOCK,	MEMBER

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<sup>1</sup> The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

<sup>2</sup> The Employer has agreed to provide the Region with the Temporary Services Agreement with Strom Engineering, and all emails that actually establish and/or amend that Agreement. It petitions to revoke the subpoena insofar as it seeks all additional emails concerning the Agreement.